City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
Diane M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE

Application Number: 2207089

Applicant Name: Paul Shema of Hewitt Architects for 500 Mercer Partners LLC

Address of Proposal: 500 Mercer St

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a mixed use building containing approximately 71,000 square feet of commercial space on two floors with 104 residential units located on three floors above. Parking for 307 vehicles will be located in a multi-level below grade parking garage. The project includes the demolition of an existing commercial structure and includes approximately 60,000 cubic yards of earth movement. The total square footage of the building with the parking garage is approximately 285,124 square feet.

The following approvals are required:

Design Review - Chapter 23.41 Seattle Municipal Code (SMC)

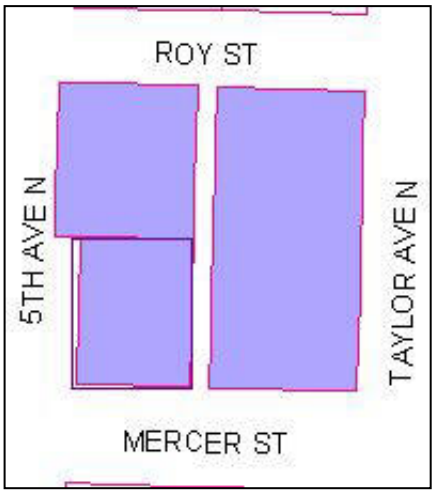
SEPA - Environmental Determination - Chapter 25.05 SMC

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[ ] DNS with conditions

[X] DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA



Site Description

The applicant proposes the redevelopment of a full block bounded by 5th Ave N to the west, Roy Street to the north, Taylor Ave N to the east and Mercer St to the south. The site, partially occupied by a one story structure housing Tower Records and accessory parking, will be demolished as a result of the redevelopment. Following demolition, the applicant proposes to develop a mixed use structure containing commercial uses including retail, a multi purpose convenience store (grocery store) and a space for the relocated Tower Records store. Located above the commercial spaces will be three floors of housing containing 104 dwelling units. The project also requires the review and approval by the City Council of an alley vacation under Council File number 305398. This approval was granted by the City Council on June 9, 2003. Access to below grade parking for approximately 307 500 vehicles and a required service entrance/loading berth for the commercial uses is proposed on Taylor Ave N.

The site is located in an NC3-40 zone and in the Queen Anne/Uptown Urban Center. Properties in the immediate area facing 5th Ave N, Roy and Taylor Ave N are also zoned NC3-40. Properties across Mercer to the south are zoned C1-65 and are also located in the Queen Anne/Uptown Urban Center. Development on these blocks is characterized by one and two-story commercial uses, a motel and apartments. The Seattle Center is also located across the street from the site, including the offices of KCTS television and several surface parking lots.

Part of the proposal for redevelopment of this site includes the granting of an easement for the future development of the Potlatch Trail. The Potlatch Trail is a multi-department and multi-neighborhood effort to create a pedestrian and bicycle system linking South Lake Union to Elliott Bay. This planning effort identified both 5th Ave N and Roy Street as important linkages for this trail system. An easement will be granted by the developers of the project to the City of Seattle for the trail, which will run adjacent to the development on the east side of 5th Ave N and the south side of Roy St.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

The Early Design Guidance meeting for this project was held on Wednesday, December 4, 2002. In developing the design guideline priorities listed below, the Design Review Board reviewed both the applicant's presentation materials as well as public comment on the proposal. The focus of the comments and direction of the Board for the design of the project at this meeting included:

- Developing a building that responds to the four distinct corners of the site created by topography changes and surrounding uses
- Reducing the emphasis on automobile and service entrances

- Develop views into the retail and commercial portions of the project from the street
- Development of the roof façade due to its appearance from adjacent uses
- A relationship developed between the required open space and the proposed Potlatch Trail

Accordingly, the following guidelines were prioritized by the Board at the Early Design Guidance meeting:

- **A-1 Responding to Site Characteristics** - The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation, and views or other features.
- **A-2 Streetscape Compatibility –** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way
- **A-3 Entrances Visible from the Street -** Entries should be clearly identifiable and visible from the street.
- **A-4 Human Activity -** New Development should be sited and designed to encourage human activity on the street.
- **A-5 Respect for Adjacent Sites -** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.
- **A-6 Transition Between Residence and Street -** For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.
- **A-7 Residential Open Space -** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- **A-8 Parking and Vehicle Access -** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.
- **A-10 Corner Lots -** Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.
- **B-1 Height, Bulk and Scale Compatibility -** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.
- **C-1 Architectural Context -** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.
- **C-2 Architectural Concept and Consistency -** Building design elements, details and massing should create a well proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

- **C-3 Human Scale -** The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.
- **C-4 Exterior Finish Materials -** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.
- **C-5 Structured Parking Entrances -** The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.
- **D-1 Pedestrian Open Spaces and Entrances -** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.
- **D-2 Blank Walls -** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.
- **D-6 Screening of Dumpsters, Utilities and Service Areas -** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters can not be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.
- **D-7 Personal Safety and Security -** Project design should consider opportunities for enhancing personal safety and security in the environment under review.
- **E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites -** Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape
- **E-2 Landscaping to Enhance the Building and/or Site -** Landscaping, including living plant material, special pavements, trellises, screen wall, planter, site furniture and similar features should be appropriately incorporated into the design to enhance the project.
- **E-3 Landscape Design to Address Special Site Conditions -** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as green belts, ravines, natural areas, and boulevards.

Recommendation Meeting

On June 4, 2003, the Board reconvened to review the progress of the design following their previous meeting. At this meeting, the applicants brought a variety of graphics, drawings, a model of the project and other materials to demonstrate the design development since the previous meeting, highlighting the following design changes:

- Development of all street facades
- Development details of the Potlatch Trail segment adjacent to the site, with details of the trail following dedication and development of the trail

- Streetscape details including use of pavings, street furniture, increased sidewalk widths, retention of existing street trees and the incorporation of water as a thematic element in the right of way
- Details of each corner showing uses, entrance details and materials, including some material samples
- The development of the open space plan for residents and its relationship to the Potlatch Trail
- Details of the garage entrance and loading dock areas
- Details of the commercial and residential spaces including use and application of materials, modulation, balconies and building detailing

Staff also provided a briefing of the project to date, including the development of a condition for project approval. Staff suggested to the Board that the project be conditioned to require that the portion of the site used for loading and automobile access be designed following consultation with neighborhood groups. The rationale for this request stems from DCLU review of the project, neighborhood concerns expressed through the project concerning design solutions to activate this wall as well as City Council review of the alley vacation. Such a condition or series of conditions would meet the intent of the following Design Guidelines:

- **A-2 Streetscape Compatibility –** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way
- **A-4 Human Activity -** New Development should be sited and designed to encourage human activity on the street.
- **A-8 Parking and Vehicle Access -** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.
- **D-2 Blank Walls -** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

Design Departures

At the Early Design Guidance meeting, no specific departures had been disclosed. Following this meeting and the zoning review for the project, the following design departures per SMC 23.41 were disclosed, including the Board's recommendation for granting the request:

Request	Standard	Proposal	Rationale	Recommendation
Reduce required Open Space (SMC 23.47.024)	20% of gross floor area in residential use	16%	Will provide higher quality design that is designed to be used by tenants not just amount to meet standards; potlatch trail will be designed and enhanced to serve not only residents but larger public	Approve, based on the quality of the design and the size of the request in relation to other previous departure requests at other sites
Modify the required amount of certain sized parking spaces	35% small	5% small	Provides appropriately sized parking spaces; increases maneuverability in garage due to increased aisle widths	Approve with no comment

Request	Standard	Proposal	Rationale	Recommendation
Increase width of permitted curbcut for auto garage	25 feet	30 feet	Increased width allows for two exiting lanes to reduce backups in garage and provide more efficient entry/exit site for project, due to restrictions on number of garage access points from potlatch trail	Approve, based on the rationale presented by the applicants
Reduce the amount of required landscaping (SMC 23.54.024B6)	30% of required Open Space in residential use	15.5%	Additional landscaping to be provided for larger public at potlatch trail; retention of mature street trees enhances site, additional landscaping to be provided in ROW along Mercer, 5th and Roy, use of water in streetscape unique landscape feature	Approve, based upon the strength of the designs provided
Reduce sight triangle at the loading dock exit (SMC 23.54.030)	10 feet dimensions on both sides of the driveway	None	Requiring a site triangle at loading area access will increase width of this feature; limited number of trips leaving this part of garage	Approve, with no specific comment
Increase lot coverage in residential use above 13 feet from grade (SMC 23.47.008)	64%	70.9%	Additional lot coverage provides opportunity for greater design detailing with additional bulk addressed through quality of design and detailing	Approve, based upon the quality of the design

Board Recommendation

After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the presentation materials, the Design Review Board members unanimously recommended **approval** of the subject design and **approval** of the requested departures. In their deliberations, the Board also recommended conditioning of the project to ensure that the east wall included design elements to help screen and otherwise visually mitigate the impacts associated with the parking and loading areas. In recommending these approvals, the Board cited the considerable effort by the applicant in designing the building in response to their previous guidance.

DECISION - DESIGN REVIEW

Based on the revisions to the plans presented at the applicant's final Design Review meeting and on further review of staff, the Director supports the recommendation of the Board for both approval of the project and the requested Design Departures. Accordingly, the proposed design is **GRANTED** with the following conditions:

Prior to the issuance of a Building Permit

1. The applicant shall submit information on the development of design details of the east wall located between and including the entry and exit to the loading docks as well as all interior walls of the loading dock area visible from Taylor Ave N. The design details shall be reviewed and approved by DCLU staff following consultation with the Queen Anne Community Council and other interested parties. Design details shall be developed that reflect local community interest, history or other defining elements of the adjacent neighborhoods.
2. To screen the appearance of the interior portions of the loading dock, sight obscuring features must be included, including doors, partitions or other similar features, to screen its appearance from Taylor Avenue N. These features must be employed to screen the loading dock at all times, unless access to the loading dock is required.

Based on the review and concurrence of the Design Review Board for the referenced Departures, the Departures are also **GRANTED** with no conditions.

ANALYSIS - SEPA

The initial disclosure of the potential impacts of this project was made in the environmental checklist submitted by the applicant dated February 14, 2003 and annotated by the Department. The information in the checklist, supporting documents, project plans, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* (subject to some limitations). Under certain limitations or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-Term Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff;
- erosion;
- increased traffic and demand for parking from construction equipment and personnel;
- increased noise levels;
- occasional disruption of adjacent vehicular and pedestrian traffic;

- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Any conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of construction.

Noise

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays from 9:00 a.m. to 5:00 p.m. and on Sundays from 10:00 a.m. to 5:00 p.m.:

1. Surveying and layout;

2. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule, thus the duration of associated noise impacts. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels will be conducted by DCLU Construction Inspections.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Transportation

Construction Parking

Construction of the project is proposed to last for several months. Numerous concerns were raised by residents through the review process concerning the effect of construction related traffic impacts on adjacent streets. On-street parking in the vicinity is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible. It is expected that all workers will be able to park on-site once the parking garage phase is completed and for the remaining duration of construction activity. To further facilitate this effort, the owner and/or responsible party shall submit a construction phase transportation plan. These conditions will be posted at the construction site for the duration of construction activity. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

Truck & Equipment

Construction of the project would involve approximately 60,000 cubic yards of grading for the building foundation and subterranean garage. Further, there will be construction required of a substantial shoring wall system to stabilize the site prior to construction of the building. These activities will take place over several weeks or months and generate significant truck trips. The City Code (SMC 11.74.160) states that material hauled in trucks shall be loaded so no debris falls onto the street or alley during transport. The Code (SMC 11.62.060) also requires truck-trailer or truck semi-trailer used for hauling to use major truck streets and take the most direct route to or from one of the major truck streets to their destination.

Mercer Ave, 5th Ave and Roy streets are classified as principal arterials, while Taylor Ave N is classified as a minor arterial. The ingress and egress of trucks, personnel and equipment may adversely impact circulation on these arterials. These construction activities may generate adverse impacts; therefore, pursuant to SMC 25.05.675 B (Construction Impacts Policy and SMC 25.05.675 R (Traffic and Transportation), additional mitigation is warranted. Accordingly, the applicant shall be required to submit a construction phase transportation plan to DCLU for review and approval by Seattle Department of Transportation (SDOT) to mitigate these impacts. The plan shall identify approximate phases and duration of construction activities, haul routes to and from the site, address ingress/egress of trucks/personnel/equipment and construction worker parking and include limitations of trips by earth-moving equipment through the Mercer/Fairview, and the Mercer/5th Ave intersections to the hours prior to 3:00 p.m. and after 6:00 p.m.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; potential loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on-site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts; however, due to the size and location of this proposal, potential impacts warrant further analysis.

Section 25.05.675 of the Municipal Code states that the following projects may be conditioned or denied to mitigate their adverse drainage impacts: projects located in environmental critical areas and areas tributary to them; projects located in areas where downstream drainage facilities are known to be inadequate; and projects draining into streams identified by the State Department of Fisheries as bearing anadromous fish. None of these applies to the subject property. All of the proposed drainage facilities must be designed in compliance with the current City of Seattle drainage codes. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

Transportation

The Transpo Group submitted a Transportation Impact Analysis dated June 2003 for the applicant. This document, along with the SEPA checklist was used in the transportation analysis provided below:

Traffic

As indicated above, traffic analyses for this project were prepared by Transpo and examined 11 different intersections at or near the development site. These intersections include:

- 1st Ave N at Roy Street
- 5th Ave N at Roy Street
- 1st Ave N at Mercer
- 5th Ave N at Mercer
- Dexter Ave N and Mercer Street
- 5th Ave N at Harrison Street
- 5th Ave N at Broad Street
- Broad Street at Denny Way

- 5th Ave N at Denny Way
- Taylor Ave at Roy Street
- Taylor Ave at Mercer Street

The analyses determined Level of Service (LOS), traffic volumes, distributions, and general traffic operations in the vicinity of the project, which assumed 125 dwelling units and approximately 71,000 sq feet of commercial development. The proposed project will generate approximately 3,390 trips in the P.M. peak based upon the Institute of Transportation Engineers (ITE), Trip Generation Manual, 6th edition. This figure also includes a reduction for the existing trips associated with the one story structure currently located on the site. The distribution of trips to the site for the commercial portion are assumed to be more localized in nature, drawing primarily from Queen Anne and the Belltown/Downtown neighborhoods. Other traffic for these uses will likely be drawn from the Eastlake and Westlake corridors, as well as the general S. Lake Union area. By contrast, more commuter oriented trips will be generated for the residential portion of the project, drawing from further distances.

For all of the intersections listed above, a baseline count of vehicles entering the intersection was established in order to effectively determine the proposed Levels of Service at effected intersections, both with and without the project. Based upon this analysis, it appears that 4 intersections will have noticeable increases in time delays and Levels of Service during the PM Peak hours. These intersections and increase are:

Intersection	Existing LOS	Project LOS	Delay, in seconds
5th and Roy	B	C	4.9
5th and Mercer	C	D	2.5
Taylor and Mercer	C	D	6.7
Taylor and Roy	C	D	10.8

It also appears that the Dexter and Mercer intersection, currently operating at LOS F will show no increase in Level of Service delay, as there appears to be a negligible delay that will occur at this intersection as a result of this project. This lack of increase appears to be due to the trip distribution associated with the project, the number of arterials adjacent to the project and other factors.

Further analysis of impacts of the project occurred concerning queuing along Taylor Ave N. This road, a minor arterial, is of some importance to the project due to the entry/exit location to the parking and loading areas for the project. Due to site constraints, the only access point for the project is from Taylor Ave. Accordingly, queuing models were developed to evaluate the issue in relationship to Mercer, particularly at peak trips hours. It appears that an increase in queuing distance at pm peak hour will occur up through the entry area to the loading bay but not extending up to the parking garage exit, near the intersection of Taylor and Roy. The location of the garage entry and exit is of particular importance, to ensure that sufficient distance is kept from the Taylor / Mercer intersection due to likely conflicts at peak trip hours. To ensure that additional conflicts do not occur during these peak hours, a recommendation in the study includes limiting delivery times to outside of PM peak trip hours, due in part to the relationship between the loading area and the subject intersection, the length of queuing in relationship to likely length of service vehicles in creating additional congestion at this intersection.

DECISION - STATE ENVIRONMENTAL POLICY ACT

The proposed action is **APPROVED WITH CONDITIONS**.

SEPA CONDITIONS

For the life of the project

1. To ensure that optimum queuing distances are maintained on Taylor Ave N, no trucks in excess of 10,000 lbs Gross Vehicle Weight (GVW) to service any commercial portion of the project are permitted to enter or leave the site between 3:00 pm and 6:00 pm, Monday through Friday. Notice shall also be posted of this requirement.

Prior to issuance of any Construction or Grading Permits

1. The owner(s) and/or responsible party(s) shall secure DCLU Land Use Division approval of construction phase transportation and pedestrian circulation plans. Appropriate SDOT and King County METRO participation in development of the plans shall be documented prior to DCLU Land Use Division approval. The plans shall address the following:

    - Ingress/egress of construction equipment and trucks;
    - Truck access routes, to and from the site, for the excavation and construction phases;
    - Street and sidewalk closures;
    - Potential temporary displacement/relocation of any nearby bus stops.

DESIGN REVIEW CONDITIONS

Prior to the issuance of a Building Permit

1. The applicant shall submit information on the development of design details of the east wall located between and including the entry and exit to the loading docks as well as all interior walls of the loading dock area visible from Taylor Ave N. The design details shall be reviewed and approved by DCLU staff following consultation with the Queen Anne Community Council and other interested parties. Design details shall be developed that reflect local community interest, history or other defining elements of the adjacent neighborhoods.
2. To screen the appearance of the interior portions of the loading dock on Taylor Ave N., sight obscuring features must be included, including doors, partitions or other similar features. These features must be employed to screen the loading dock at all times, unless access to the loading dock is required.

Construction Conditions

1. Parking for construction workers shall be provided on-site as soon as the garage is completed.

2. In addition to meeting requirements of the City's Noise Ordinance, only low noise impact work such as that listed below, shall be permitted on Saturdays from 9:00 a.m. to 5:00 p.m. and on Sundays from 10:00 a.m. to 5:00 p.m.:

    - Surveying and layout;

    - Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. DCLU recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels will be conducted by DCLU Construction Inspections.

3. Any revisions to the exterior facades of the building and/or landscaping on site must be reviewed and approved by a Land Use Planner prior to proceeding with the proposed revisions.

Prior to the issuance of a Certificate of Occupancy

1. Compliance with the approved design features and elements, including exterior materials, façade colors, landscaping or other similar features shall be verified by the Land Use Planner assigned to the project or by the Supervising Planner. Inspection appointments with the Land Use Planner must be made at least 3 working days in advance of the inspection.

Signature: (signature on file) Date: June 19, 2003
Michael Jenkins, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

MLJ:rgc
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